

THE EFFECTIVE DATE OF THIS ORDINANCE IS JANUARY 20, 2009

ORDINANCE NO. 09-02-506

Re: Amending the financial disclosure provisions of the Ethics Ordinance concerning the identification of those officials, employees and board and commission members who are required to file financial disclosure statements.

The Board of County Commissioners enacted the Ethics Ordinance by Ordinance Number 82-5-249. That Ordinance was adopted on April 13, 1982, and became effective on April 17, 1982. That Ordinance was subsequently amended by Ordinances 83-1-268, 83-17-284, 83-19-286, 89-46-577, 91-24-024, 95-24-148, 00-22-264, and 07-28-468.

The Frederick County Ethics Commission recommended that Section 1-7.2-2 of the Ethics Ordinance, which lists the County officials and employees and those members of boards and commissions who are subject to the financial disclosure requirements found in the Ethics Ordinance, be amended to bring the list up to date and to make the list more inclusive. The Board of County Commissioners agreed with the Ethics Commission's recommendations that Section 1-7.2-2 should be amended to remove the reference to the County Treasurer as an elected official, to correct the reference to the Board of License Commissioners, to include all inspectors and construction managers employed by the County, and to include all members of boards and commissions who are appointed by the Board of County Commissioners and who are not covered by another financial disclosure law.

The Board of County Commissioners held a duly advertised public hearing concerning this Ordinance on January 20, 2009. The public had an opportunity to comment on this Ordinance at the public hearing.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that Section 1-7.1-2 of the Frederick County Code is hereby amended to read as follows:

**§ 1-7.1-2. APPLICABILITY.**

The provisions of this chapter apply to all Frederick County, Maryland officials and employees, excluding, of course, those who are covered by the Maryland Public Ethics Law and excluding the entire Board of Education (members and employees). However, for the application of the provisions of § 1-7.1-5(A) and (B), the following Frederick County officials and employees are listed.

(A) *Elected county officials.*

[(1)] Board of County Commissioners.

[(2)] County Treasurer.]

*Note:* The following elected officials are covered by the Maryland Public Ethics Law: State's Attorney, Clerk of the Circuit Court, Register of Wills, and Sheriff.

(B) *Officials and employees.*

(1) All employees who are classified on the Frederick County Government pay schedule at grade [15]14 or above and who are not covered by the state ethics statute;

(2) [Alcohol Beverage]Board of License Commissioners and Inspectors; and

(3) [All inspectors, Department of Permits and Inspections and Housing; and

(4)] All construction managers and inspectors[, Division of Public Works].

(C) *Members of the following boards and commissions.*

(1) Affordable Housing Council.

(2) Agricultural Preservation Advisory Board.

- [(2)](3) Board of Appeals, Building Code.
- [(3)](4) Board of Appeals, Zoning.
- [(4) Economic and Community Development Commission.]
- (5) Board of Gaming Appeals.
- (6) Business Development Advisory Council.
- (7) Citizens Nursing Home Board.
- (8) Deferred Loan Program Review Committee.
- [(5)](9) Ethics Commission.
- [(6)](10) Insurance committee.
- [(7) Interagency information technologies authority.\*]
- [(8)](11) Interagency internal audit authority.\*
- [(9)](12) Planning Commission.
- (13) Public Library Board.
- (14) Retirement Plan Committee.
- (15) Small Business Revolving Loan Fund Review Committee.
- (16) Solid Waste Advisory Committee.
- (17) Technology Council of Frederick County.

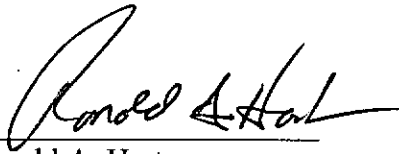
\*The Frederick Community College member[s] of [these authorities are] this authority is not covered under this chapter inasmuch as [they are] that member is covered under other provisions of law pertaining to [them] that member.

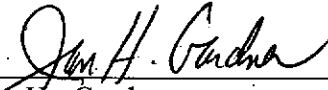
AND BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, that this Ordinance shall take effect on January 20, 2009.

The undersigned hereby certifies that this Ordinance was approved and adopted  
on the 20th day of January, 2009.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF FREDERICK COUNTY, MARYLAND

  
\_\_\_\_\_  
Ronald A. Hart  
County Manager

  
\_\_\_\_\_  
Jan H. Gardner  
President

LBT  
1-22-09